

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHINA AI CAPITAL LIMITED, a British Virgin Islands limited company, derivatively on behalf of LINK MOTION INC., a Cayman Islands limited company f/k/a NQ MOBILE INC., : x
Plaintiff, :
: against- :
DLA PIPER LLP (US), a Maryland limited liability partnership, and CARYN G. SCHECHTMAN, a natural person, : No. 21-cv-10911-VM
ORDER
Defendants :
: and- :
LINK MOTION INC., a Cayman Islands limited company f/k/a NQ MOBILE INC, :
Nominal Defendant. : x

ORDER

WHEREAS on September 6, 2022, Plaintiff filed a notice of voluntarily dismissal without prejudice as to all defendants in the above-captioned action pursuant to Federal Rules of Civil Procedure 41(a)(1)(A)(i) (ECF Nos. 22, 23); and

WHEREAS Federal Rule of Civil Procedure 23.1(c) provides that a derivative action may be voluntarily dismissed only with the Court's approval, and that notice of a proposed voluntary dismissal must be given to other shareholders in a manner ordered by the Court;

IT IS HEREBY ORDERED that, within seven (7) days of the date of this Order, Plaintiff shall file with the Court a proposed form of notice of its intent to voluntarily dismiss the action to be provided to all other shareholders of Link Motion, Inc. ("Notice"), as well as a

proposal for how such notice shall be distributed that meets the requirements of Federal Rule of Civil Procedure 23.1 and due process; and it is further hereby

ORDERED that, within seven (7) days thereafter, Defendants shall submit by letter any response to such proposals; and it is further hereby

ORDERED that, within seven (7) days of the Court's approval of the form, content and manner of distribution of the Notice, Plaintiff shall distribute the Notice to all other shareholders of Link Motion, Inc., assuming all responsibility for paying the costs and expenses related to such distribution; and it is further hereby

ORDERED that, following distribution of the Notice, Plaintiff shall file with the Court proof under penalty of perjury that the Notice was provided to all shareholders in the form and manner approved by the Court; and it is further hereby

ORDERED that, after the completion of the procedures provided above, the Plaintiff shall seek the Court's consent to its proposed voluntary dismissal of this action.

Dated: September 13, 2022
New York, New York



THE HONORABLE VICTOR MARRERO
UNITED STATES DISTRICT JUDGE